

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, Court's or Judge's orders.
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MISC.CIVIL APPLICATION NO. 104 OF 2015

AMRUTA SAGAR CHINCHKAR
VERSUS
SAGAR SHAMRAO CHINCHKAR

...
Advocate for Applicant : Mr. N. A. Matkar.

CORAM: T. V. NALAWADE, J.
DATED: 19th OCTOBER, 2015.

PER COURT:

1. The application is filed for transfer of H.M.P. No. 97 of 2015 presently pending in the Court of Civil Judge, Senior Division, Baramati, District Pune, to Family Court at Aurangabad. Notice of the present proceeding was duly served on the respondent but nobody turned up for the Respondent.

2. Learned counsel for the Applicant is heard. The learned counsel for the Applicant submitted that the

applicant, wife has filed the proceeding under section 9 of Hindu Marriage Act in Family Court at Aurangabad and she has also filed one proceeding under section 12 of Protection of Women from Domestic Violence Act and that proceeding is pending in a Court from Aurangabad. He submitted that the present Applicant has no source of income and she will face difficulties for going to Baramati where divorce proceeding is filed by the Respondent husband. He submitted that to enable the wife to contest the divorce proceeding effectively it is necessary to transfer the proceeding to Family Court at Aurangabad. Copies of the aforesaid proceedings are produced. In view of this, this Court holds that the proceeding needs to be transferred to Family Court at Aurangabad. In any case, the husband will be required to come to Aurangabad to face the two proceedings filed by the wife.

3. In the result, H.M.P. No. 97 of 2015 is withdrawn from the Court of Civil Judge, Senior Division, Baramati and it is transferred to the Family Court at Aurangabad. The new Court to see that the present matter is kept on

the same day when the matter filed by the wife is kept in the Family Court and no inconvenience is caused to both the sides.

[T. V. NALAWADE, J.]

Dt.19/10/2015
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